

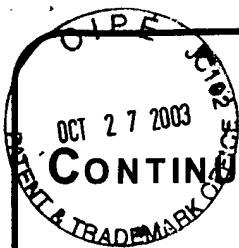
Express Mail No.
Deposited

EV 272908025 US
10/27/2003

APPROVED 0-28-03
for
PTO DEPOSIT ACCOUNT CHARGE
ACCOUNT #04-1700

PTO/SB/30 (08-00)
Approved for use through 10/31/2002. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

DUNLAP, CODDING & ROGERS, PC



REQUEST

FOR

CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/842,930
Filing Date	04/25/2001
First Named Inventor	Paul H. Weigel
Group Art Unit	1647
Examiner Name	L. Spector
Attorney Docket Number	5820.603

TECH CENTER 1600/2000

OCT 31 2003

RECEIVED

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 60092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1700
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kathryn L. Hester, Ph.D.	Registration No. (Attorney/Agent)	46,768
Signature		Date	10-27-03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: Express Mail No. EV 272908025 US

Name (Print/Type)	Kathryn L. Hester, Ph.D.	Date	10-27-03
Signature			

Send to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

10/29/2003 EFLORES 00000129 041700 09842930

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Express Mail No.: EV 272908025 US
Date Deposited: 10/27/2003

PTO DEPOSIT ACCOUNT CHARGE
ACCOUNT# 04-1700

Approved for use through 10/31/2002. OMB 0651-0032
DUNLAP, CODDING & ROGERS, P.C. and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/sb/17 (10-02)

FEE TRANSMITTAL
OCT 27 2003 for FY 2003
Patent fees are subject to annual revision.
☒ Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$) 1,291

Complete If Known

Application Number	09/842,930
Filing Date	04/25/2001
First Named Inventor	Paul H. Weigel
Examiner Name	L. Spector
Art Unit	1647
Attorney Docket No.	5820.603

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money order ☐ None

☒ Deposit Account:

Deposit Account Number: 04-1700
Deposit Account Name: Dunlap, Coddling & Rogers, P.C.
Customer No. 30589

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 44
Independent Claims: 8
Multiple Dependent: 36

Extra Claims: 24
Fee from below: 9
Fee Paid: \$216

Extra Claims: 5
Fee from below: 43
Fee Paid: \$215

Multiple Dependent: 36
Fee Paid: \$0

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 431

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	475
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	385
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$) 860

SUBMITTED BY

Name (Print/Type): KATHRYN L. HESTER
Registration No. (Attorney/Agent): 40,7108
Telephone: (405) 607-8600
Signature: [Signature]
Date: 10/27/2003

SEND TO:

Mail Stop - RCE
Commissioner for Patents
PO Box 1450, Alexandria, VA 22313-1450

EXPRESS MAIL NO.: EV 272908025 US
DATE DEPOSITED: OCTOBER 27, 2003

PATENT
ATTY. DKT. NO. 5820.603



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Weigel, et al.

Serial No.: 09/842,930

Filed: April 25, 2001

For: HYALURONAN RECEPTOR
FOR ENDOCYTOSIS

Group No.: 1647

Examiner: L. Spector

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

OCT 31 2003

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REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. §1.114, for the above-identified application.

Warning: 35 U.S.C. 132(b) and § 1.114 provide for the continued examination of an application and **not** examination of a continuing application. Accordingly, the Office will not permit an application to obtain continued examination on the basis of claims that are independent and distinct from the claims previously claimed and examined.

Warning: A continued examination request **cannot** be made if at least one office action under 35 U.S.C. 132 or a Notice of Allowance under 35 U.S.C. 161 has not been mailed. The provisions of 37 CFR 1.114 also do not apply (1) to a provisional application, an application for a utility or plant patent filed under 35 U.S.C. 111(a); (2) an international application filed under 35 U.S.C. 363 before June 8, 1995; (3) a patent under reexamination or (4) an application for a design patent. (37 CFR 1.114(d)).

Note: There is no limit to the number of times the fee for continued examination may be submitted. Notice of March 10, 2000.

Note: Unlike a continuation application, a continued examination request **can** utilize the mailing procedure of 37 CFR 1.8.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
 - i. ☒ Prior to abandonment of the application
 - ii. ☐ Payment of the Issue Fee:
 - ☐ Prior to payment of the Issue Fee

Applicant: Weigel, et al.
Title: Hyaluronan Receptor For Endocytosis
Atty. Dkt. No. 5820.603

- ☐ Issue Fee has been paid but a petition under §1.313 has been granted
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals and Interferences

☐ A notice is being separate sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.

Note: If such a notice is not sent to the Board, then may refuse to vacate a decision rendered after the filing of the RCE but before recognition by the Office of the RCE request under § 146.

- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or ☐ Commencement of a civil action under 35 U.S.C. 146

☐ Prior to the filing of such appeal or commencement of civil action.

☐ Such appeal or commencement of civil action has been terminated.

ENCLOSURES

3. Enclosed herewith:

WARNING: If reply to a final or non-final Office Action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 37 C.F.R. § 1.114(b).

- ☐ Information Disclosure Statement (37 CFR § 1.98)
- ☐ Form PTO-1449
- ☒ Amendment
- ☒ New Arguments
- ☒ New evidence in support of patentability (in the form of a 37 CFR 1.131 Declaration by Paul Weigel)

Applicant: Weigel, et al.
Title: Hyaluronan Receptor For Endocytosis
Atty. Dkt. No. 5820.603

☐ Other:

FEE FOR REQUEST

4. This application is on behalf of:

☒ Small Entity (and status is still as small entity) \$385.00

☐ Other than a small entity: \$770.00

Continued Prosecution Request Fee: \$ 385.00

NOTE: The fee for continued examination under § 1.114 (§ 1.17(e)) does not include additional claims fee.

The filing fee for a continued prosecution application filed under this paragraph is: (i) the basic filing fee as set forth in § 1.16; and any additional § 1.16 fee due based on the number of claims remaining in the application after entry of any amendment accompanying the request for an application under this paragraph and entry of any amendments under § 1.116 unentered in the prior application which Applicant has requested to be entered in the continued prosecution application.

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	CLAIMS AFTER RESPONSE	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY ADDITIONAL RATE FEE	OTHER THAN SMALL ENTITY ADDITIONAL RATE FEE
TOTAL	44	67	0	X9 = \$00.00	X18 = \$
INDEP.	8	33	0	X43 = \$00.00	X86 = \$
PRESENTATION OF MULTIPLE DEP. CLAIM				X145 = \$00.00	X290 = \$
TOTAL ADDITIONAL FEE				\$00.00	\$00.00

☒ No additional fee is required

Or

☐ Total Additional Fee Required: \$ _____

Applicant: Weigel, et al.
Title: Hyaluronan Receptor For Endocytosis
Atty. Dkt. No. 5820.603

EXTENSION OF TIME

6. Extension of Time

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below. **PLEASE CONSIDER THIS A PETITION THEREFOR.**

EXTENSION FOR (Months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> One month	\$110.00	\$55.00
<input type="checkbox"/> Two months	\$420.00	\$210.00
<input checked="" type="checkbox"/> Three months	\$950.00	\$475.00
<input type="checkbox"/> Four months	\$1,480.00	\$740.00

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$ 475.00

OR

- a. ☐ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that Applicant inadvertently overlook the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

WARNING: The fee for continued examination under § 1.114 may not be deferred.

Applicant: Weigel, et al.
Title: Hyaluronan Receptor For Endocytosis
Atty. Dkt. No. 5820.603

7. The total fee(s) are:

Continued Prosecution Fee (§ 1.17e)	\$ <u>385.00</u>
Fee(s) for additional claims (if any) (§ 1.16(b)-(d))	\$ <u>431.00</u>
Extension of Time fee (if any) (§ 1.17(a)(1)-(4))	\$ <u>475.00</u>

PAYMENT OF FEES DUE

8. Please pay the fee(s) for this continued examination application as follows:

- ☒ [X] The Commissioner is hereby authorized to charge \$ 385.00 to cover the Continued Prosecution fee to Deposit Account No. 04-1700.
- ☒ [X] The Commissioner is hereby authorized to charge \$ 431.00 to cover the fees for the additional claims to Deposit Account No. 04-1700.
- ☒ [X] The Commissioner is hereby authorized to charge \$ 475.00 to cover the fee for the Extension of Time to Deposit Account No. 04-1700.
- ☒ [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1700.

INVENTORSHIP

9. This Application as amended names as inventors: Paul H. Weigel, Bin Zhou, and Janet Weigel.

- ☒ [X] the same inventors as previously designated for the claims.
- ☐ [] fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

Applicant: Weigel, et al.
Title: Hyaluronan Receptor For Endocytosis
Atty. Dkt. No. 5820.603

☐ a person not named previously as an inventor and a petition under 37 CFR §1.48 is/has separately ☐ being filed ☐ been filed.

Respectfully submitted,



Kathryn L. Hester, Ph.D., Reg. No. 46,768
DUNLAP, CODDING & ROGERS, P.C.
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(405) 607-8686 - Facsimile

Agent for Applicant(s)